



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

May 17, 2006

H.R. 9

Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006

As ordered reported by the House Committee on the Judiciary on May 10, 2006

SUMMARY

H.R. 9 would reauthorize and amend the Voting Rights Act of 1965. Major provisions of the legislation would extend certain expiring provisions of the act for 25 years, expand the use of federal observers at polling sites, and authorize the use of the American Community Survey to identify areas that may need bilingual voting assistance. In addition, H.R. 9 would require the Government Accountability Office (GAO) to report to the Congress on the implementation of a provision of the Voting Rights Act regarding the requirement for election materials in both English and an alternative language.

CBO estimates that implementing H.R. 9 would cost \$1 million in fiscal year 2007 and \$15 million over the 2007-2011 period, subject to the availability of appropriated funds. Enacting the bill would have no impact on direct spending or revenues.

Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of the act any legislative provisions that enforce constitutional rights of individuals. CBO has determined that H.R. 9 would fall within that exclusion because it would protect the voting rights of minorities and those with limited proficiency in English. Therefore, CBO has not reviewed the bill for mandates.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 9 is shown in the following table. The costs of this legislation fall within budget function 800 (general government).

	By Fiscal Year, in Millions of Dollars				
	2007	2008	2009	2010	2011
SPENDING SUBJECT TO APPROPRIATION					
OPM Spending Under Current Law for Voting Rights Program					
Estimated Authorization Level	2	0	0	0	0
Estimated Outlays	2	0	0	0	0
Proposed Changes					
Estimated Authorization Level	1	4	3	3	3
Estimated Outlays	1	4	3	3	3
OPM Spending Under H.R. 9 for Voting Rights Program					
Estimated Authorization Level	3	4	3	3	3
Estimated Outlays	3	4	3	3	3

BASIS OF ESTIMATE

For this estimate, CBO assumes that H.R. 9 will be enacted near the end of fiscal year 2006, that the necessary amounts will be appropriated over the 2007-2011 period, and that spending will follow historical spending patterns for the Office of Personnel Management (OPM).

The legislation would extend for 25 years certain expiring provisions of the Voting Rights Act. Under current law, the Department of Justice (DOJ) certifies the appointment of federal observers to work at polling sites when it has received 20 or more written complaints from residents regarding voting rights violations. OPM, through its Voting Rights Program, works closely with DOJ to assign voting rights observers to locations designated by the department. OPM currently has about 1,000 intermittent employees who serve as neutral monitors at particular polling sites on election days. Since 1966, OPM has deployed 26,000 observers to 22 states.

The legislation would amend current law to authorize the Attorney General to assign federal observers without using the certification process to election sites if he or she has had a reasonable belief that violations of the 14th or 15th amendment have occurred or will occur at a polling site. Based on information from OPM and the current cost of operating the observer program, CBO estimates that the Voting Rights Program would spend about \$4 million in general election years and about \$3 million in other years.

H.R. 9 also would require the GAO to report to the Congress, within one year, on the implementation of a section of the Voting Rights Act of 1965 regarding the provision of voting materials in alternative languages (in addition to materials in English). Based on similar reports, CBO estimates that preparing and distributing the report would cost less than \$500,000.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

Section 4 of UMRA excludes from the application of the act any legislative provisions that enforce constitutional rights of individuals. CBO has determined that H.R. 9 would fall within that exclusion because it would protect the voting rights of minorities and those with limited proficiency in English. Therefore, CBO has not reviewed the bill for mandates.

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